

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RAMIRO CALDERON,

Plaintiff,

vs.

CONAGRA BRANDS INC,

Defendant.

**8:22CV231**

**MEMORANDUM AND ORDER**

Before the court is Plaintiff's motion to proceed in forma pauperis. [Filing No. 2](#). Plaintiff is employed and earns take-home pay of \$650.00 per week. Plaintiff states he has \$1,400.00 in cash or in a checking or savings account and \$79,000 in real estate equity. Plaintiff describes monthly expenses of \$700.00 for a mortgage payment, \$360.00 for a car loan payment, and \$400 in insurance payments. In addition to the mortgage and car loans, Plaintiff describes an outstanding debt of \$5,000 to Home Depot and \$1,500 in credit card debt. Given Plaintiff's income and available assets, the Court finds that his monthly expenses would not impact his ability to pay the relatively modest filing fee associated with filing a claim in federal court. Therefore,

IT IS ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis, [Filing No. 2](#), is denied.
2. Plaintiff shall pay the \$402.00 filing fee within 30 days of the date of this order.
3. Failure to comply with this order will result in this matter being dismissed without prejudice and without further notice.

4. The Clerk of Court is directed to set a pro se case management deadline in this matter with the following text: **August 15, 2022**: deadline for Plaintiff to pay \$402.00 filing fee.

Dated this 15th day of July, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J. Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Judge